

AMENDMENTS

IN THE CLAIMS

Please amend the claims as follows:

In claim 1, line 1, delete the word "An" and insert the phrase -- A spray-dried -- in its place.

In claim 7, line 2, delete the word "an" and insert the phrase -- a spray-dried -- in its place.

In claim 8, line 3, delete the word "an" and insert the phrase -- a spray-dried -- in its place.

In claim 9, line 1, delete the word "an" and insert the phrase -- a spray-dried -- in its place.

Add the following new claims 11-17.

--11. The method of claim 10, wherein the composition is substantially free from penetration enhancers.

12. The method of claim 11, wherein the carrier comprises HSA.

13. The method of claim 12, wherein the carrier further comprises a carbohydrate bulking agent.

14. The method of claim 10, wherein 95% of the mass of the dry powder composition has a particle size of less than 10 microns.

15. The method of claim 14 wherein 80% of the mass of the dry powder composition has a particle size of less than 5 microns.

16. A spray-dried, interferon-based dry powder composition for pulmonary delivery, said composition comprising a therapeutically effective amount of naturally-occurring interferon-beta in combination with a pharmaceutically acceptable carrier that comprises HSA and a carbohydrate bulking agent, and 95% of the mass of the dry powder composition has a particle size of less than 10 μm .

17. The composition of claim 16, wherein the carbohydrate bulking agent is mannitol.--

IN THE SPECIFICATION

At page 10, line 11, delete the word "buffer" in its first usage and insert the word --solution-- in its place.

At page 10, line 11, after the word "chloride" add the phrase --solution (optionally with a buffer)--.

At page 10, line 11, delete the word "buffer" in its second usage.

REMARKS

REJECTION UNDER 35 U.S.C. § 102(B)

The examiner's rejection of claims 1-8 under 35 U.S.C. 102(b) as being anticipated by World Patent Application No. 91/16038 (Platz, et al.) is respectfully traversed.

Applicants have amended the claims to indicate the composition is a spray-dried composition. As indicated in the specification at page 2 the claimed invention is based at least in part on the higher potency and improved flow characteristics of interferon-based